

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ANDREW LYLES,
Plaintiff,

v.

KEITH PAPENDICK, et al,
Defendants.

Case No.: 2:19-cv-10673
Hon.: Laurie J. Michelson
Mag.: Kimberly G. Altman

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JOINT RULE 26(f) REPORT AND DISCOVERY PLAN

On April 14, 2021, the parties conferred via Zoom for the purpose of

preparing a joint discovery plan in accordance with Fed. R. Civ. P. 26(f), as Plaintiff is now represented by counsel. The parties are in agreement that an extension of the discovery period is needed to complete depositions, and to obtain Plaintiff's medical records from various hospitals where he has received treatment since the commencement of this Action. During this conference, the Parties agreed on the following elements of a joint discovery plan:

- A) Plaintiff provided Rule 26(a) initial disclosures to Defendants on April 1, 2021. Defendants agreed to provide initial disclosures by April 28, 2021. No changes are necessary in the form or requirement for initial disclosures.
- B) Discovery will be needed regarding the decision-making process underlying the alleged delay in ordering a colonoscopy to diagnose Plaintiff's ulcerative colitis between October 2016 and June 2017. Defendants will seek discovery of Plaintiff's medical records and medical history. The parties agree that it is not necessary for the Court to order that discovery be conducted in phases or limited to or focused on particular issues. The parties believe that discovery can be completed by July 12, 2021.
- C) The parties agree that electronically-stored information should be preserved and shall be produced in the format it is regularly stored in or in another

reasonably usable format, such as .pdf.

D) The parties agree that an order under Federal Rule of Evidence 502 is not necessary at this time.

E) The parties agree that the standard number of Interrogatories under Rule 33(a)(1) and the standard number and length of depositions permitted under Rule 30 should be permitted in this case. The parties agree that expert witness reports and disclosures shall occur per the standard timetable of Rule 26(a)(2)(D). No changes to the limitations on discovery imposed under the Federal Rules are necessary. The parties further agree that the Court should grant leave for Defendants to depose the Plaintiff per Rule 30(a)(2)(B).

F) The parties jointly request that the Court enter a Scheduling Order containing the case management deadlines listed in the table below.

EVENT	DEADLINE
Rule 26(a)(1) disclosures	April 28, 2021
Discovery cutoff	August 12, 2021
Dispositive motions due	September 12, 2021
Final pretrial conference	To be set after ruling on dispositive motions
Trial date	To be set after ruling on dispositive motions

Respectfully submitted,

/s/ Ian T. Cross

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